

REMARKS/ARGUMENTS

In the Office Action mailed September 15, 2010 (hereinafter, "Office Action"), claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-56 stand rejected under 35 U.S.C. § 112. Claims 1, 18, 21, 38, 41-46 and 56 are being amended.

Applicant respectfully responds to the Office Action.

Applicant thanks the Examiner for conducting an interview on Monday, December 13. Applicant also thanks the Examiner for pointing out that the Examiner's concerns under Section 112 are based on the phrase "the first plurality of video frames . . . are not identified prior to streaming the video from the server" of claim 1, which the Examiner characterized as a negative limitation. Applicant believes that the Examiner's concerns have been addressed by the amendments made herein.

I. Claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-56 Rejected Under 35 U.S.C. § 112, First Paragraph

Claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-56 stand rejected under 35 U.S.C. § 112, first paragraph. Claim 1 has been amended to recite "the first plurality of video frames, which are used to display corresponding thumbnail images for the first navigation video strip, are identified after streaming the video from the server has commenced." Support for the subject matter added by amendment is provided in the specification, for example, at Figures 1 and 3-4 and at paragraphs [43]-[49] and [63]-[69]. (See specifically, *e.g.*, paragraph [65], which states "the instructions for displaying the navigation video strip 118 are generated dynamically as the video 114 is being streamed from the server 106 to the client 102. Thus, it is not necessary to store separate thumbnails or images from the video 114"; and Figure 3 indicating that video streaming commences (steps 302 and 304), after which instructions are generated for displaying the navigation video strip (step 308).)

Applicant wishes to note that the subject matter of claim 1 is enabled. As recited in claim 1, a video is received "as it is streamed from a server." (Claim 1; *see also, e.g.*, Figure 3 and paragraph [43] of the specification.) After streaming of the video has commenced, "the first plurality of video

frames, which are used to display corresponding thumbnail images for the first navigation video strip, are identified.” (Claim 1; *see also, e.g.*, Figure 3 and paragraphs [44]-[46] of the specification.)

The first plurality of video frames are obtained “by requesting specific video frames from the server.” (Claim 1; *see also, e.g.*, Figure 3 and paragraphs [46]-[47] of the specification.)¹

In light of the foregoing and the interview with the Examiner, Applicant respectfully submits that the subject matter of claim 1 is enabled.

Independent claims 18 and 38 have been amended to recite “the first plurality of video frames . . . are identified after streaming the video to the client has commenced.” Claims 21 and 41 have been amended to recite “the first plurality of video frames . . . are identified after streaming the video from the server has commenced.” Accordingly, for the same reasons as provided above in connection with claim 1, Applicant respectfully requests that the Section 112 rejection be withdrawn with respect to the independent claims 18, 21, 38 and 41. Claims 2-6, 8-14, 17, 19-20, 22-26, 28-34, 37, 39-40, 42-46 and 49-51 depend from either claim 1, 18, 21, 38 or 41. Accordingly, Applicant request that the rejection of claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-51 under 35 U.S.C. § 112, first paragraph, be withdrawn as well.

Accordingly, Applicant respectfully requests that the Section 112 rejection be withdrawn.

¹ Although the rejection relates to enablement under Section 112, Applicants wish to note that the written description requirement of Section 112 has also been satisfied. “The subject matter of the claim need not be described literally (*i.e.*, using the same terms or *in haec verba*) in order for the disclosure to satisfy the description requirement.” (M.P.E.P. § 2163.02; *see also* M.P.E.P. § 2163 (“While there is no *in haec verba* [“in these words”] requirement, newly added claim limitations must be supported in the specification through express, implicit, or inherent disclosure.”).) Applicant respectfully submits that the concepts of claim 1 are disclosed and supported, for example, by Figures 1 and 3-4 and paragraphs [43]-[49] and [63]-[69] of the specification.

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CONCLUSION

In view of the foregoing, Applicants respectfully submit that all pending claims in the present application are in a condition for allowance, which is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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